[Mr. Padiyara Joseph Kunju.]

ന്നു എന്നമാണ അതിലേക്ക പറയുന്ന കാരണങ്ങൾ. എന്നാൽ അതു വിട്ടിച്ചു തുക എന്തുകൊണ്ടു പോരാതെവന്നു എന്നുള്ളതിനു അദ്ദേഹം തൃപ്തികരമായ സമാധാനം പറയുന്നില്ല. അതിനെക്കുറിച്ചു ഈ എക്സൈസ് കമ്മിഷണരുടെ സമാധാനം കേട്ടാൽകൊള്ളാം.

Mr. M. P. Joseph: At that time the scheme was not sanctioned by Government and unless the scheme is sanctioned we do not know what the exact amount is. So the lump sum allotment was asked for at that time.

Mr. G. Narayana Aiyar: May I know from the member when the scheme was sanctioned by Government?

Mr. M. P Joseph: It was sanctioned only recently.

The question was then put and the motion was carried and the grant was made.

XVII. INDUSTRIES INCLUDING CLAY REFINING AND PORCELAIN FACTORY—Rs. 30,000.

Mr. G. B. E. Truscott Sir, I move for a supplementary grant of Rs. 30,000 for finishing the works relating to the opening of the Clay Refining and Porcelain Factory at Kundara.

President: Will the honourable member enlighten the House as to the reasons for making this supplementary grant?

Mr. G. B. E. Truscott: I have to say this that in connection with the works that were hoped to be finished last year, it was found impossible to do so and so funds amounting to about Rs. 15,000 were surrendered. The remaining sum includes some extra works which have been found necessary after the last budget session.

Mr. Kottur Kunjukrisha Pillai: May I know from the member whether this is an item of expenditure that has been granted at the time of the last budget session and because the amount became insufficient an additional amount is now wanted?

Mr. G. B. E. Truscott: As I said, in regard to the works that were hoped to be finished but were not before the end of last, funds were surrendered. We hoped to be able to pay the bills for the works to be carried out that year.

Mr. G. Narayana Aiyar: May I know when is the time for the actual adjustment of accounts?

Mr. G. B. E. Truscott: After the last budget session.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. Kottur Kunjukrishna Pillai: Sir, I was not able to understand under that sub-section of rule 77 this supplementary grant has been made. It has to be clearly understood that a supplementary grant can be asked only under certain conditions. The first circumstance that is stated is that the amount voted in the budget and for which the vote of the Legislature is necessary should be found to be insufficient for the purpose of the current year. The next condition is that the need should have arisen in the current year for the expenditure for which the vote of the legislature is necessary, but which could not be contemplated at the time of the regular budget for the year. Sir, about the first, the Chief Engineer stated that it was not a case in which the amount already voted became insufficient and an additional amount became necessary for the completion of the work and in the middle of the year the department finding that that amount is not sufficient is coming up with a supplementary grant. That will be a legitimate ground for a supplementary grant. But in reply to my question to the Chief Engineer he said that he had surrendered some sum last year. That is not an explanation at all for the supplementary grant under rule 77. It has no relevancy so far as this House is concerned in considering the question whether a supplementary grant is regular or not. He then stated that this is a service that was not contemplated, and that this is a new service. He says that it would come under sub-section (*b*). Sir, I wish to know whether the question of providing buildings for the clay refining and porcelain factory at Kundara was under the consideration of the Department at all. It is no use saying that this particular item was not under the consideration of the department. It ought to have been under the consideration of the Chief Engineer if he was making an estimate worth the name. The question certainly was before the Government and before the Chief Engineer. There is no use saying that this item was not within the knowledge of the Chief Engineer. It ought to have been within the knowledge of the Chief Engineer. Otherwise, what is the use of making estimates? What is the basis on which estimates are made? And what is the purpose of providing funds at the time of the regular budget session? I am at a loss to understand. Sir, we are insisting on the strict adherence to the rules because we know that these rules are provided for the financial control which ought to be exercised by this House. These are valuable provisions given to us to exercise control over the expenditure incurred by various departments. It is no use saying that it was not under the contemplation of the Government or of the Chief Engineer. It ought to have been under contemplation and understanding of the Chief Engineer when he prepared the estimates for this year. Otherwise, I cannot understand, Sir, why

LIBRARY ARCHIVES Kerala Legislative Assembly

[Mr. Kottur Kunjukrishna Pillai.]

these estimates are prepared and why we should have such a highly paid officer for this department. He must be able to anticipate the expenditure. He must provide for the amount that is likely to be incurred. He must see that it comes in the regular budget session. Otherwise he can come at any time before the House and ask for a supplementary grant for anything. If you know how to do your work, you should be able to anticipate the expenditure.

President: Order, order. The honourable member must address the Chair.

Mr. Kottur Kunjukrishna Pillai: That is all I have to say.

Mr. M. Govinda Pillai: May I explain the position, Sir?

Mr. Padiyara Joseph Kunju: I rise to a point of order. സർ, ചീഫ് ഇഞ്ചിനീയർ ഒരു ധനാഭ്യർത്ഥന കൊണ്ടുവരികയും എ തെങ്കിലും മെമ്പർ അതിനെ എതിർക്കുകയും ചെയ്തതിനുശേഷം ഫി നാൻഷ്യൽ സെക്രട്ടറി അതിനു മറുപടി പറയുന്നതു എങ്ങിനെയാണ്?

President: Order, order. This is a matter relating to a procedural point in relation to a financial business. So, in all supplementary grants and in the budget, the Financial Secretary has a concurrent jurisdiction with the head of every department in regard to this matter and therefore for the purpose of elucidating what may be called the accounts or the financial side of it, he has a right to speak

Mr. Kochikal P. Balakrishnan Tampi: May I know whether any member of the House, whether official or non-official, is not entitled to take part in the discussion?

President. Apparently what Mr. Padiyara Joseph Kunju wanted to raise was that elucidation or explanation by one officer of another official's supplemental grant should not be admitted.

Mr. M. Govinda Pillai: Sir, at the very outset, let me assure the House that Government have absolutely no intention to effect any deviation from the rules laid down in the Manual. The circumstances of this case may be briefly stated. The budget for the year 1113 contained the necessary provision for the work referred to by the Chief Engineer. The difficulty was that the works were not completed during the currency of the year 1113 and therefore it was not possible for the Chief Engineer to make the necessary payments during that year. What the Chief Engineer referred to when he said he had surrendered some amount was that under the provisions of the Financial and Account Code when he

LIBRARY ARCHIVES Kerala Legislative Assembly

found that the expenditure actually budgetted for could not be incurred wholly, he was bound to make the surrender of the unexpended amount. It was not because he did not contemplate the contingency of the actual payment. He did contemplate that contingency and he did make the necessary provision in the budget for the purpose. But the difficulty was that he was unable to incur the expenditure because the work was not completed. Only the preliminaries were completed and therefore the department was unable to make the full payment for the work contemplated and budgetted for. The work was completed only during the current year and the payment has only now to be made. It is a debt of honour to be incurred and as such Government are entirely within their rights and within the rules to approach the House with a request for a supplementary grant.

Mr. Padiyara Joseph Kunju : അതിലേക്ക എസ്റ്റിമേറ് തയ്യാറാക്കിയിട്ടില്ലേ?

Mr. M. Govinda Pillai : The estimate was prepared, and sanction was granted by Government for the execution of the work. Everything has been completed and then the provision was made. But the difficulty was that the work was not completed within the year 1113 and it was not possible for the Chief Engineer therefore to make the payment in that year.

Mr. Padiyara Joseph Kunju : ജോലി പൂത്തിയാക്കുന്നതിനു മുമ്പുള്ള കണക്കല്ല എസ്റ്റിമേറ് എന്നു പറയുന്നതു?

Mr. M. Govinda Pillai : The estimate was prepared long ago and the provision for the work was included in the budget for the year 1113.

Mr. Padiyara Joseph Kunju : എസ്റ്റിമേറു ചെയ്ത തുക തന്നെ പോരാതെ വന്നു എന്നാണൊ പറയുന്നതു?

Mr. M. Govinda Pillai : No, Sir. What I was attempting to explain to the House was that the necessary provision for the payment for the work when completed was made in the budget for 1113 but unfortunately the work was not completed in time before the year closed and therefore it was not possible for the Chief Engineer to make the payment. The payment has to be made only now.

Mr. Padiyara Joseph Kunju : അദ്യം എസ്റ്റിമേറുചെയ്ത തുകകൊണ്ടു ജോലി പൂത്തിയാകുമെന്നാണൊ വിചാരിച്ചതു?

Mr. M. Govinda Pillai : That was the expectation, certainly. The department and the government expected that the work would be completely finished and the payment would be made before the year terminated.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. Padiyara Joseph Kunju : ആദ്യം അനുവദിച്ചതുക കൊണ്ടുതന്നെ ആ ജോലി പൂർത്തിയാക്കാത്തതു് എന്തുകൊണ്ടാണെന്നു പറയാമോ?

Mr. M. Govinda Pillai : Neither the Chief Engineer nor his department can possibly anticipate the difficulties that would actually occur in actual execution. As a matter of fact, the contractor was not able to finish the work, It was a physical impossibility. These are contingencies which the department could not anticipate.

President : I take it that what the Financial Secretary desires to say is that the money was originally provided for—

Mr. M. Govinda Pillai : Yes, Sir.

President : but could not be expended owing to reasons not dependent on the department's action but the difficulty of completing the work.

Mr. M. Govinda Pillai : Yes, Sir.

President : Therefore, the amount was surrendered and came back into the general exchequer. In order to complete the transaction, it has now to be paid and the money to the credit of the department is now found insufficient for the purpose and therefore it comes within your rule 77 (*a*). Is that the contention ?

Mr. M. Govinda Pillai : Yes, Sir.

Mr. Kochikal P. Balakrishnan Tampi : May I know from the honourable member whether from the information available it was not possible to anticipate this expenditure when the annual budget was framed ?

Mr. M. Govinda Pillai : Sir, the expenditure was anticipated, but, as the honourable member himself may know, every work takes time for completion and that if a work is expected to be completed before the 32nd of Karkadakam 1113 or 1114 certain contingencies may arise when the anticipation may not be realised at all. These are perfectly natural things. Even honourable members themselves will find that works will not be completed within a certain time on account of difficulties beyond their control.

Mr. G. Narayana Aiyar : May I know the actual amount that was surrendered ?

Mr. M. Govinda Pillai : I am not now in a position to say what the actual figure surrendered by the P. W. D. was. But I know that the P. W. D. surrendered a substantial amount not only on account of this work but on other works as well.

Mr. Kottur Kunjukrishna Pillai : May I know why provision was not made for payment during this year ?

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. M. Govinda Pillai : I may assert that more than once the department expected to make the payment before the end of Karkadagom. But it was not possible for them to effect the payment. The Department never expected that the work could not be completed during the last year.

Mr. T. Mahomed Ismail : May I know from the Chief Engineer whether the amount that is now demanded by the department is the same amount surrendered by the department ?

Mr. G. B. E. Truscott : The P. W. D. Officers prepare the budget estimates some months ahead. At that time the department expected to complete the work and make the necessary payments for the same. Unfortunately that was found not practicable. That being so, the department surrendered the amount provided for it and we are now asking a supplementary grant.

Mr. T. Mahomed Ismail : I want a definite answer to the question *viz.*, whether the amount now demanded by the department is the same amount was returned by them.

Mr. G. B. E. Truscott : The department surrendered about 15,900 rupees and this sum is included in the amount now asked for, the remainder being for extra works sanctioned by Government.

President : The question before the House is that a sum of Rs. 30,000 for finishing the works relating to the opening of the Clay Refining and Porcelain Factory at Kundara be granted.

The motion was put and carried.

The demand was made.

XXVI. Ports.

Mr. G. B. E. Tuscott : I move for a grant of Rs. 1,460 for the reconstruction of the kitchen and corridor in the Marine Bungalow at Alleppey.

During a heavy storm at the end of last year, some trees fell down and ruined the kitchen and corridor of the building. So I am asking for this grant for reconstruction of the kitchen and the corridor attached to the building ?

Mr. G. Narayana Aiyar : May I know, who is occupying that building ?

Mr. G. B. E. Truscott : The Port Officer.

Mr. G. Narayana Aiyar : Does he pay any rent ?

Mr. G. B. E. Truscott : I do not know.

Mr. Kochikal P. Balakrishnan Tampi : I oppose the motion. As far as I know there is no permanent Port Officer of the Travancore Government who occupies the Marine Bungalow at

LIBRARY ARCHIVES Kerala Legislative Assembly